

# **Libby Community Advisory Group**

## **Meeting Summary**

### **November 10, 2004**

#### **Introductions**

Gerald Mueller and members of the Libby Community Advisory Group (CAG) introduced themselves. Mr. Mueller serves as the CAG facilitator. Jim Christiansen introduced Catherine LeCours who has taken Craig French's spot as the CAG member representing the Montana Department of Environmental Quality. She will be the project leader for the Troy cleanup on behalf of the state. A list of the members in attendance is attached below as Appendix 1.

#### **Agenda**

The CAG agreed to the following agenda for this meeting:

- EPA Report
- CAG Business
  - CAG Purpose
  - Membership
  - Work Plan Topics
- CARD Report
- TAG Report
- Public Comment

#### **EPA Report**

Jim Christiansen reported on behalf of EPA on the following topics.

Residential Cleanups - During October, the three firms now working under the new contract were all conducting residential cleanups. This work will allow EPA to meet the target of 170 residential cleanups this year. Cleanup work will cease in December and resume again in February of next year.

Railroad Cleanup - The cleanup by Burlington Northern-Sante Fe Railroad of its Libby facilities is completed. EPA will walk through the area cleaned tomorrow.

Flyway Cleanup - The cleanup of this property, which is being conducted by W.R. Grace, should be finished in about a week and a half.

Changes to the EPA Team - Mr. Christiansen will be spending less time in Libby because of a need to focus on developing the record of decision (ROD) for the Libby cleanup and also because personal considerations that will restrict travel. He will remain leader of the Libby team which will continue to include Peggy Churchill and Craig Meyers. A third onsite construction manager will be added to the team to allow Mr. Christiansen to work more in Denver on the record of decision. Mr. Christiansen will continue visiting Libby but will do so less frequently.

Future CAG Meetings - If the CAG will identify specific topics, EPA will plan to cover them in more depth at future CAG meetings in addition to its normal status reports.

*CAG Member Question - What is the timing of the release of the record of decision?*

Answer - To date, the cleanup has been conducted under the emergency response authority, but that authority will soon expire. EPA must therefore complete a record of decision to support long-term remedial cleanup activities. In about one year, EPA will issue an interim ROD which will set forth a cleanup plan and will identify data gaps and questions in need of further investigation which must be addressed before the final ROD can be issued.

*CAG Member Comment - Will the ROD include a change in the model use to assess the risk associated with asbestos exposure?*

Answer - EPA has in the past relied on a standard or IRIS risk assessment model for asbestos contamination. We intend to use a different model for Libby, the Berman-Crump model which is currently undergoing scientific peer review.

*CAG Member Question - Are you using the Berman-Crump model now?*

Answer - Yes, but the risk assessment involves more than just the use of this model.

*CAG Member Question - What is the importance of the Berman-Crump model?*

Answer - Unlike the standard model developed for and applied to chrysotile asbestos exposures, the new model takes into account toxicity as a function of both asbestos fiber type and size. The Berman-Crump model is based on health study data.

*CAG Member Question - Could the interim ROD be changed before the final is issued?*

Answer - Yes.

*CAG Member Question - Do you have a date in mind for issuing the final ROD?*

Answer - No. The issue date will hinge on the investigation. The final ROD will have significance beyond Libby and will therefore draw significant attention from outside the Libby EPA team.

*CAG Member Question - EPA's budget for this fiscal year has not been approved by the Congress. Now that the election is behind us, are you expecting a budget cut?*

Answer - I cannot speak about the agency or Region 8 budget. EPA is operating under a continuing Congressional resolution rather than an appropriation. I do not anticipate a change in the Libby cleanup budget as EPA Headquarters has committed to \$17 million for Libby this fiscal year. I intend to lobby for additional funds, and I am optimistic about receiving them.

*CAG Member Question - Should we be writing letters requesting additional funds?*

Answer - Doing so would be your decision. Your message was heard last year, and the Administrator committed to returning here for a longer visit. I will keep you informed about the cleanup budget and funding.

*Audience Member Question - Did I understand you correctly that the cleanup will soon be shut down and will be ramped up again next February?*

Answer - Correct. This year the work load had a large peak. Next year we intend to have a flat work load, so that in February we will begin to make smooth, steady cleanup progress.

*CAG Member Question - Will the CDM people be leaving during the shut down period?*

Answer - Those that do not live here will leave. Those that do will work to prepare for next year's cleanup work.

*CAG Member Question - The Berman-Crump model is new to EPA. Was it developed as a result of Libby?*

Answer - Yes.

*CAG Member Question - Have you found out the source of the raw material that contaminated the County composite at the land fill?*

Answer - No, and we may not. Our focus has been in cleaning up the contamination.

## **CAG Business**

Prior to this meeting, Gerald Mueller circulated the memorandum dated November 9, which is included in Appendix 2 below, to CAG members. The memorandum included the purpose statement adopted by the CAG at its February 3, 2000 and March 9, 2000 meetings and a listing of unresolved/ongoing CAG topics based on past meeting summaries which might serve as possible topics for a CAG work plan.

CAG Purpose - The CAG discussed its existing purpose statement.

*Audience Member Comment - The CAG has spawned several organizations including the TAG. It helped facilitate creation of an independent CARD Clinic.*

*CAG Member Comment - The CAG also helped stimulate formation of a psycho-social support group and the data base of present and former Libby students. It has also maintained an active interest in the W.R. Grace Medical Plan.*

***CAG Action - The CAG directed Mr. Mueller to rewrite the purpose statement to add the following items to it:***

- ***Facilitating the creation of new organizations as needed;***
- ***Causing the release of information; and***
- ***Serving as a point of contact with the Libby community for Montana's Governor and others.***

CAG Membership - At its October 14, 2004 meeting, the CAG asked Gala Benefield to draft a letter inviting the City, the County and other interests formerly represented on the CAG to renew their CAG participation. Ms. Benefield read drafts of two letters, one proposed for the City and the County and the other for other community interests and organizations. The two draft letters are attached below as Appendix 3 and 4.

*CAG Member Comment - It is important for Libby to speak with one voice. The CAG is interested in Libby's economy, and we need representatives from economic interests to participate as members as they did when the CAG first formed.*

*Audience Member Question - What if the City and County will not designate a representative to the CAG? Should the CAG then send a representative to City Council and County Commission meetings?*

Answer - Major Tony Berget has agreed to begin attending CAG meetings. City Councilman Wally McElmurry has been designated as the City Council representative to the CAG, but he has not attended any CAG meetings.

*CAG Member Question - Has EPA designated a Troy representative on the TAG?*

Answer by Jim Christiansen - No. The people of Troy together with Catherine LeCours should shape how the Troy community participates in groups and respond to the investigation and cleanup of Troy asbestos contamination.

***CAG Action - After making one change in the City/County letter by adding language to request the City and County to appoint a member to the CAG, the CAG approved the letters and those members present signed a sheet to be included with them as the letter signatories. Those CAG members not here tonight will be given a chance to sign. The CAG also invited audience members to sign the signature page. Gayla Benefield agreed to mail the letters.***

CAG Work Plan Topics - The CAG discussed the topics listed in Appendix 2, and agreed to include the list in a work plan with the addition of the following items:

- The investigations and cleanup of asbestos contamination in Troy;
- The Superfund Redevelopment Program;
- A periodic asbestos conference;
- Long-term mine site cleanup options; and
- Outreach to other impacted communities.

*Comment by Jim Christiansen - The Superfund Redevelopment Program seeks to identify the uses the community wants for contaminated properties. Given the widespread contamination that had to be addressed here, we did not view it as the best fit for Libby. It is not a panacea for overcoming a contamination stigma. If the CAG wishes, however, I will arrange for a more detailed presentation at a future CAG meeting of EPA programs related to economic development.*

*Audience Member Question - Was the Anaconda golf course an example of EPA funded economic development?*

Answer - No. The City of Anaconda, and not EPA, decided to pursue and obtain funding for the golf course. The Potentially Responsible Party chose to contribute to this community amenity.

***CAG Action - The CAG directed its facilitator, Mr. Mueller, to prepare a revised purpose statement and a work plan for its consideration at its next meeting. It also agreed that at the end of each meeting, the CAG will identify work plan topics to be addressed through presentations at its next meeting. It further directed Mr. Mueller to issue a press release containing the proposed agenda to local Libby media prior to each meeting.***

## **CARD Clinic Report**

LeRoy Thom reported on behalf of the CARD Clinic. The City Council did award \$250,000 to the CARD Clinic to support asbestos research in Libby. We are looking at our space needs, and we hope to find office space in the medical corridor.

*Audience Member Question - Can you provide an overview of the uses for the \$250,000?*

Answer - I don't have the list of uses with me tonight. I remember that we plan to use it to purchase freezers to store research samples as well as glass containers for tissue samples. We also plan to computerize information to allow research access to it. The \$250,000 is not a blank check to do whatever we want. The CARD will make expenditures and then present invoices to

the City, the payment of which must be approved by the City Council. At a future CAG meeting, a CARD spokesperson will make a detailed presentation about CARD funding and where we are headed.

*CAG Member Question - Will any of the \$250,000 be used to pay for tissue analysis?*

Answer - No. We intend to use these funds to develop research capability, not conduct research.

*CAG Member Question - In past presentations, CARD spokespersons have mentioned the need to use local funding to help leverage other funds. Has the CARD developed a leveraging plan?*

Answer - We recently hired a consulting firm, Munson Consulting, to do just that.

## **TAG Report**

Gayla Benefield and Gordon Sullivan reported on behalf of the TAG on the following subjects:

Denver Workshop - The TAG is continuing to compile information from the work shop. Once the CAG reaches agreement about it, we will present it to the Libby community.

Community Communication - We are also continuing to develop our communication capability.

Spring Cleanup - We will be preparing for resumption of cleanup next February. Our health and safety committee which includes a representative of a cleanup worker and CDM is important in this regard. We recently convinced EPA to decontaminate a vehicle used in the cleanup before it left Libby. We have made two recommendations to EPA regarding investigating carpet contamination. We recommended that sampling be done six inches above a carpet that has been cleaned. We also recommend sampling during removal of a carpet in a contaminated residence.

*Audience Member Question - What about walls?*

Answer - We are looking at options regarding walls. In at least one instance, when a wall containing contaminated vermiculite insulation was breeched, four samples detected asbestos fibers.

Response by Jim Christiansen - The four hits constituted very low levels of asbestos, on the order of 0.0001 fibers/cubic centimeter of air. This low level is good news.

*CAG Member Question - Doesn't the detection of asbestos in post sampling indicate that asbestos was present during the clearance sampling which is done immediately after the cleanup?*

Answer by Jim Christiansen - The post sampling was conducted six months after the cleanup, and occurs with people going about their normal activities. It does not include the rigorous clearance sampling in which residents are not present, and attempts are made using blowers to suspend any contamination. We will discuss sampling details with the TAG.

## **Public Comment**

*Audience Member Question - When was the decision made to conduct cleanups in Troy?*

Answer by Jim Christiansen - EPA focused its initial cleanup activities in Libby because it had large amounts of contamination. We decided that Libby residences needed cleaning in 2001-2002. EPA is aware that people who worked at the mine also lived in Troy and that some houses in Troy contain vermiculite insulation. However, we are not aware of any sites in Troy with large amounts of contamination and it was a lower priority that cleaning the Libby sites and homes. We are committed to investigate and cleanup contamination in Troy.

*Audience Member Question - When was Troy added to the Superfund site?*

Answer by Jim Christiansen - For a typical Superfund site, a specific boundary is drawn around the area found to be contaminated by an investigation. However, because of the nature of the contamination and the way it was transported throughout in the Libby area, we have not designated a specific boundary. We have talked generally about Libby and the approximately 200 square miles around it as the Superfund site.

*Audience Member Question - I began searching for information about possible water contamination in Troy and was shocked to learn about the asbestos contamination. When were the people of Troy notified about the contaminated insulation that might be in their homes?*

Answer by Jim Christiansen - We agree that not enough has been done to notify people in Troy. We will be going to Troy next summer. Information has been regularly published in the *Western News* and the *Montanian*. Information is also available in the EPA Information Center. We do not believe, however, that Troy is a dangerous place to live. We do not expect that the pending investigation will identify the high levels of contamination that we found in Libby.

*CAG Member Comment - EPA should consider mailing a flier to all Troy residents.*

*CAG Member Comment - Troy residents are welcomed to participate on the CAG and also in TAG meetings. The TAG meets every second Tuesday in room 212 of the college.*

*Audience Member Comment - Callahan Creek is full of vermiculite.*

*Audience Member Question - Is it the case that there is no information about the amount and duration of asbestos exposure causes cancer?*

Answer by Jim Christiansen - A lot is known, and we are working to answer remaining questions. Asbestos is ubiquitous throughout the US; we have all breathed it. In the Libby area, we are prioritizing between the high exposure sites that need immediate cleanup and lower exposure sites which can be cleaned later.

*Audience Member Comment - I am sure that the CAG can appreciate the concern that we in Troy feel when we first learn about asbestos contamination.*

Response - We understand, but we have learned a lot over the past five years.

## **Future Meeting Topics**

The CAG agreed that at the next meeting its agenda will include Troy and a report about the activities of the Operation and Maintenance Work Group. Gordon Sullivan agreed to invite the Port Authority to present its site use plan for the former Stimson property at the February meeting.

## **Next Meeting**

The CAG decided not to meet in December. The next CAG meeting was scheduled for 7:00 to 9:00 p.m. on Thursday, January 13, 2005 in the Ponderosa Room of Libby City Hall.

**Appendix 1**  
**CAG Member & Guest Attendance List**  
**November 10, 2004**

<b>Members</b>	<b>Group/Organization Represented</b>
K.W. Maki	Libby Schools
Clinton Maynard	Area Asbestos Research Group
Gordon Sullivan	Technical Advisory Group
David Lathum	<i>The Montanian Newspaper</i>
Ken Hays	Senior Citizens
Wendy Thomi	EPA Community Involvement Coordinator
Jim Christiansen	EPA
Catherine LeCours	DEQ
LeRoy Thom	Former Grace Employee
Gayla Benefield	LCAVRO
Eileen Carney	Post State Representative

## Appendix 2

### MEMORANDUM

**Date:** November 14, 2004  
**To:** CAG Members  
**From:** Gerald Mueller  
**RE:** Revised CAG Purpose Statement and Work Plan

#### **CAG Purpose Statement**

The purpose of the CAG includes:

- Providing a conduit for formal and regular communication between the people of the Libby community and EPA;
- Providing advice and/or recommendations to EPA and others such as Montana's Congressional delegation;
- Facilitating the creation of new organizations as needed;
- Causing the release of information; and
- Serving as a point of contact with the Libby community for Montana's Governor and others.

#### **Work Plan Topics**

The CAG will address in its meetings the following topics:

- Status of the cleanups
  - Residential/commercial buildings
  - Flyway property
  - Railroad yard/tracks
- The investigations and cleanup of asbestos contamination in Troy;
- Cleanup budget & funding
- Administrator's visit
- Analytical methods
- Risk assessment
- Asbestos disease-related research
  - Libby facility
  - UM
- Port Authority site utilization plan
- Declaration of a public health emergency
- Funding for long-term health care
- Operation and Maintenance Work Group
- The Superfund Redevelopment Program
- A periodic asbestos conference
- Long-term mine site cleanup options
- Outreach to other impacted communities



### Appendix 3

Dear \_\_\_\_\_

As we, the Citizen's Advisory Group of Libby ready to begin our fifth year of existence within the community, we began looking back at the community leaders, organizations and people who, at some time, participated as a Board Member of the CAG.

Your presence at these meetings was greatly appreciated in providing insight to the other community members who attend and also the agencies that still participate in the monthly CAG meetings.

Until the completion of the cleanup in Libby, we feel that our organization is and will continue to be the conduit for information between the residents and the agencies involved.

During the last four-plus years it has been the CAG that was called together for the release of medical study information, the Governor's frequent visits to Libby and ultimately, the awarding of the Silver Bullet to expedite the cleanup of the area.

As the completion of the cleanup comes to a close, it is imperative that we speak with one voice in Libby to insure our future as a community.

The CAG is still an active and until the cleanup is completed, we will continue to be the primary conduit between the agencies involved and the public.

Our monthly meetings include topics brought to us by the people that we represent:  
Those topics have included:

- ☐ Residential cleanup problems.
- ☐ Issues on the Flyway and Railroad Cleanup.
- ☐ Analytical methods used.
- ☐ Future funding for cleanup
- ☐ Future medical relief for community members now diagnosed with ARD
- ☐ Property sales
- ☐ Medical needs.

Other topics equally as important are too many to mention, but the object of the CAG was to be a fully rounded organization where all issues related to the cleanup could be discussed and problems solved.

In the past few years, many organizations have formed in relation to the presence of the EPA in Libby. These organizations generally have a specific area relating to the cleanup on their agenda. If these organizations were to come together to share information and seek solutions, it would ultimately save time and expense to the agencies that are diligently working in Libby to solve our problem.

As a result of the CAG, we have addressed the needs of those that we as Board Members represent.

The imminent need at the onset of the arrival of the EPA seemed to be medical care as a result of the ATSDR Screening held in Libby. From that, emerged the CARD Center, the ARD network and the psychosocial assistance that each provide. This was accomplished by input from the Board members and the obvious need of the community.

As members of the CAG Board, we are equally as concerned about the economic future of our community, the property values, tourism to name a few, but without your presence, our information is limited.

In order to resolve the ongoing issues, the community needs to speak with one voice.

The CAG traditionally meets on the second Thursday of each month at 7:00 PM in the Ponderosa room of City Hall except during the month of December when there is no meeting.

## Appendix 4

Dear \_\_\_\_\_

As we, the Citizen's Advisory Group of Libby ready to begin our fifth year of existence within the community, we began looking back at the community leaders, organizations and people who, at some time, participated as a Board Member of the CAG.

Your presence at these meetings was greatly appreciated in providing insight to the other community members who attend and also the agencies that still participate in the monthly CAG meetings.

Until the completion of the cleanup in Libby, we feel that our organization is and will continue to be the conduit for information between the residents and the agencies involved but without your representation, we feel that we are not speaking with one voice.

As current Board Members, we each represent a specific segment of our community. Your participation as an elected official and representative of the people of the community is an essential key to the completion of the cleanup in Libby.

The CAG traditionally meets on the second Thursday of each month at & 7:00 PM in the Ponderosa room of City Hall except during the month of December when there is no meeting.

We encourage and request your presence.